

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EXELON GENERATION COMPANY, LLC,	:	
	:	
Plaintiff,	:	20 Civ. 9625 (JPC)
	:	
-v-	:	<u>ORDER</u>
	:	
EAST COAST POWER AND GAS, LLC,	:	
	:	
Defendant.	:	
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JOHN P. CRONAN, United States District Judge:

Plaintiff Exelon Generation Company, LLC has moved for default judgment against Defendant East Coast Power and Gas, LLC. Dkts. 52-55. The Court has scheduled a hearing on Plaintiff's motion for default for December 15, 2021 at 9:30 a.m. Dkt. 46. In advance of the hearing, the Court requires supplemental briefing on Plaintiff's request for damages.


In the Amended Complaint, Plaintiff alleges that Defendant breached the parties' Agreement and, thus, is liable for \$1,099,682.55, which constitutes "the amount owed pursuant to the Agreement, including the early termination amount." Dkt. 9 ¶ 12. It is hereby ORDERED that, by December 13, 2021, Plaintiff shall submit supplemental briefing setting forth the methodology and calculations for determining the "Early Termination Amount" provided to Defendant on May 6, 2020, Dkt. 53, Exh. F, and sought in connection with Plaintiff's motion for default judgment. In its supplemental briefing, Plaintiff also shall provide a calculation of its request for prejudgment interest pursuant to N.Y. CPLR §§ 5001 and 5004 from April 20, 2020 through December 14, 2021.

It is further ORDERED that, at the December 15 hearing, Plaintiff shall be prepared to discuss its manner of service of the Court's Order dated October 19, 2021, Dkt. 46, and Plaintiff's

default judgment papers, Dkts. 52-55, on Defendant and why Plaintiff is confident that Defendant received proper service of these documents and has notice of the December 15 hearing.

SO ORDERED.

Dated: December 7, 2021  
New York, New York



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JOHN P. CRONAN  
United States District Judge